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Tuesday, 5 November 2002, 3 p.m.
New York

President:	Mr. Zhang Yishan	(China)
Members:	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Guinea	Mr. Traoré
	Ireland	Mr. Corr
	Mauritius	Mr. Gokool
	Mexico	Mr. Aguilar Zinser
	Norway	Mr. Strømmen
	Russian Federation	Mr. Konuzin
	Singapore	Mr. Mahbubani
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Williamson

Agenda

The situation concerning the Democratic Republic of the Congo.

Letter dated 15 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1146).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

02-67656 (E)

The meeting resumed at 3.15 p.m.

The President (*spoke in Chinese*): I should like to inform the Council that I have received a letter from the representative of Angola in which she requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mrs. Izata (Angola) took the seat reserved for her at the side of the Council Chamber.

Mr. Gokool (Mauritius): I would like first of all to congratulate you, Sir, on your assumption of the presidency of the Council for this month and to assure you of our support and cooperation. At the same time, I would like to congratulate Ambassador Belinga-Eboutou and his team on the manner in which they conducted the work of the Council last month.

I extend a warm welcome to the Minister for Foreign Affairs of Uganda, The Honourable James Wapakhabulo.

Today's public meeting provides an opportunity for all interested parties to comment freely on the contents of the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2002/1146). As with all panels established by the United Nations, we expect a high degree of professionalism in terms of research and documentation, as well as assessments and conclusions based on concrete and verifiable evidence. We must all remember that when such panel reports are issued, they are immediately referred to as United Nations reports and become a reference tool for determining the credit-worthiness of countries. We have no doubt that that spirit inspired the members of the Panel.

We favour the "name and shame" approach, which in itself should represent a strong deterrent to illegal exploiters. At the same time, we must make sure that such an approach is based on irrefutable and concrete evidence. Since the publication of the report, many Governments, companies and individuals have disputed several important allegations made therein, calling them baseless, unfounded, politically motivated and unverified. It is certainly not helpful for Member States when the Panel makes assumptions and bases itself on perceptions when finalizing its report. As we all know, such assumptions and perceptions are not legally valid.

It is important that all information be fully verified and that countries named in the report have the opportunity to provide explanations. We note, for example, that paragraph 18 of the report makes reference to a joint Zimbabwe-Democratic Republic of the Congo company to be set up in Mauritius to disguise the continuing economic interests of the Zimbabwe Defence Forces in the Democratic Republic of the Congo. Unfortunately, no counter-checking or verification of that information was ever requested from Mauritius. Such shortcomings lead to the undesired conclusion that the report aims at sensationalism.

The Panel's report constitutes an important basis that will help in framing a comprehensive strategy to combat the illegal exploitation of the natural resources of the Democratic Republic of the Congo. It is now an internationally recognized fact that the natural resources of the Democratic Republic of the Congo are being plundered in the most brutal way and that the wealth of the country, instead of helping to enhance the well-being of the Congolese population, has got into the hands of unscrupulous exploiters. On a number of occasions, Mauritius has clearly stated that the natural resources of the Democratic Republic of the Congo belong to the Congolese people and not to anybody else. The vicious circle whereby the conflict is continued so as to better exploit the natural resources of the Democratic Republic of the Congo should, therefore, be broken. We deplore the current situation as described in the report and express our belief that the natural resources of the Democratic Republic of the Congo should be exploited legally so as to benefit that country and its people.

The report clearly points to the involvement of neighbouring countries, both at the national and the individual levels, in the illegal and illicit exploitation of the resources of the Democratic Republic of the Congo. Mauritius notes with concern that the plundering continues unabated, and it strongly condemns all of those illegal activities. We believe that the countries involved should take necessary measures

to cease such activities or, in cases where their nationals are involved, to carry out investigations with a view to apprehending those responsible. We take note of the work being done by the Porter Commission and look forward to its conclusions. We are ready to consider the setting up of a monitoring body to scrutinize the situation and to ensure that exploitation activities are significantly curbed.

The report recommends that the Security Council consider imposing certain restrictive measures on a selective number of business enterprises and individuals involved in the illicit exploitation of the natural resources of the Democratic Republic of the Congo. That recommendation can be implemented only after the respective Governments have been given enough time to respond to the allegations in the report or to take action against practices by companies in their respective countries.

We all acknowledge the fact that the peace process has reached quite an advanced stage. But it remains fragile, as was demonstrated by the recent fighting in the region of Uvira between the Rassemblement congolais pour la démocratie rebel group and local Mai-Mai militias. Any measure by the Council which would lead to a hardening of the positions of the parties to the conflict could seriously jeopardize progress in the peace process.

Mauritius believes, therefore, in a holistic approach to the resolution of the conflict and all related problems in the Democratic Republic of the Congo. We feel that full implementation of the Lusaka, Luanda and Pretoria Agreements will in itself result in curbing the illegal exploitation of natural resources. We also believe that a transitional government would be a major step in halting the illicit exploitation of the natural resources of the Democratic Republic of the Congo.

The countries of the region have an important role to play in achieving a comprehensive peace settlement. In this regard, we commend the Government of South Africa for its efforts in the search for peace and stability in the Democratic Republic of the Congo, as well as in the Great Lakes region. We also encourage the efforts made by other countries in the region towards that end. As we suggested in the September meeting, the Security Council should now seriously start thinking about how to deal with those who do not want a voluntary process of disarmament, demobilization, repatriation, resettlement and reintegration and those who are not signatories of the Lusaka Agreement.

The idea of convening an international conference on peace, security, democracy and sustainable development should be looked into when a post-conflict situation is reached. Such a conference can only be beneficial once peace has been established and when there is a strong Government in the Democratic Republic of the Congo that is able to exercise control throughout the Congolese territory. It is equally important to have thorough preparation before actually convening such a conference.

Finally, with respect to the trade in rough diamonds, Mauritius agrees that universal participation will make the Kimberly process a more effective instrument to prevent the illicit trade in this natural resource.

The President (*spoke in Chinese*): I thank the representative of Mauritius for his kind words.

Ms. Lee (Singapore): We, too, congratulate you, Mr. President, on assuming the presidency for this month and join colleagues in expressing our appreciation to Ambassador Belinga-Eboutou and his team for his presiding over the Council last month. We would also like to extend a warm welcome to the Foreign Minister of Uganda for his participation here today.

We join our colleagues in thanking Ambassador Kassem and the other members of the Panel for their very comprehensive and insightful report, contained in document S/2002/1146. Given the complexity of the problems stipulated in the Panel's new mandate and the very difficult conditions under which they had to work, we appreciate the determined manner in which they went about their work, as well as the candour of their report.

We are also impressed by the standards of proof adopted by the Panel and the fact that they "made every effort to fairly and objectively evaluate the information it has gathered", as stated in paragraph 8 of the report. The Panel's credibility has been given the acknowledgement it deserves by the Porter Commission, as cited in paragraph 136 of the report. My delegation is particularly impressed by the detailed findings by the Panel with regard to the elite networks that continue to exploit the resources of the Democratic

Republic of the Congo, even as foreign forces finally withdraw from the country. The information provided by the Panel is vital for a clearer understanding of the actual situation and will certainly play a key role in our decision on the next steps that need to be taken to stem "the plundering of the natural resources of the Democratic Republic of the Congo" (para. 1).

However, as the Security Council deliberates on this substantial report, we will also need to take into account the responses of the Governments, individuals and companies implicated in the report. It is no understatement to say that the report has stirred up a hornet's nest. As we have heard today, many of the parties implicated in the report have accused the Panel of failing to observe due process and of relying on flimsy evidence in arriving at its findings. The chairman of one such company, Oryx Natural Resources, visited Security Council members in New York last week, including our delegation, to make the case that his company was innocent. He also told us that the Panel had made no attempt to contact him or his company to check its facts prior to implicating his company in the report.

In our view, such responses to the report must be fully addressed so that no innocent party is inadvertently included among the guilty but the guilty parties are conclusively shown to be what they are. To achieve this, we must ensure that due process is observed. The Panel has quite wisely proposed a grace period of four to five months before a final decision is taken on the imposition of the financial and travel restrictions that it has recommended against the individuals and companies listed in Annexes I and II of the report. That grace period is needed to clear up any disputes that those named may have and, at the same time, provide the opportunity for the guilty parties to cease their illegal activities.

However, the Security Council does not have any mechanism to assist it, so as to ensure that the observance of due process and the necessary high evidentiary standards will be the final arbiters before we make our decision on the Panel's recommendations. We will take up this question again when the Council meets next week in informal consultations to discuss the outcome of today's debate. Here, I would like to add that we agree with the representative of France that our purpose should not be to point fingers at anyone but to stop the plundering and to find a way for the Democratic Republic of the Congo to move forward.

On the substance of the report, in general, we see the Panel's report as an important contribution to our efforts to stem the illegal outflow of the natural resources of the Democratic Republic of the Congo. Even as we wrestle with the problem of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, we must recognize that such exploitation is possible only when the parties involved know that they can get away with it. The Panel's description of this state of affairs was that of "a self-financing war economy centred on mineral exploitation", as aptly stated in paragraph 12 of the report.

A sustainable solution would require the development of a reasonably transparent economy and good governance in the areas exploited. A precondition for both would be peace and a Government that is clearly representative of, and committed to, the people of the country. Emphasis must, therefore, continue to be placed on the political dialogue process among the Congolese parties, so that such a Government can be established. To underpin stability in the Democratic Republic of the Congo and, indeed, throughout the Great Lakes region, countries in the region should develop a transparent regional trading system that would not only discourage the illicit movement of goods but also enable the countries to complement each other's economic strengths. It is to their credit that during the Security Council meeting two weeks ago on the subject of cooperation between the United Nations system and Central Africa, many African delegations emphasized the importance of regional economic cooperation as a cornerstone of the African continent's efforts.

In my delegations view, the international community should support the efforts of both the region and the Democratic Republic of the Congo to stop the pillaging of the natural resources of the country. Monitoring of the illegal exploitation should be maintained until the Government of the Democratic Republic of the Congo is able to exercise effective control over the areas concerned. We are, therefore, supportive of the Panel's recommendation in paragraph 186 of its report that the Security Council should look into the establishment of a monitoring body for that purpose.

And like our colleagues, we have also taken note that many of the criminal activities of the elite networks described by the Panel are related to the usual

suspects that we have encountered in other Panel reports. For example, at paragraph 72, 107 and 140 of the report, there is reference to the Victor Bout connection. We are also concerned that the Panel has uncovered smuggling of Angolan and Sierra Leone diamonds despite Security Council embargoes on those diamonds. Those references came from paragraph 52 of the report. We have previously pointed out that a mechanism must be established for the consistent monitoring of Security Council embargoes. Perhaps the time has come for the Security Council to also look into the establishment of a body for that purpose.

Finally, when one reads the Panel's findings regarding the fortunes that have been made and are still being made by the elite networks, and juxtaposes this with the statistics of the Office for the Coordination of Humanitarian Affairs (OCHA) on malnutrition and mortality rates of children below the age of five years, it is clear that non-action by the Security Council is not an option. We cannot fail the people of the Democratic Republic of the Congo.

The President (*spoke in Chinese*): I thank the representative of Singapore for her kind words addressed to me.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): We wish at the outset to congratulate you, Sir, on your assumption of the presidency of the Council for this month and to wish you all success in your work. We would also like to extend our thanks to your predecessor, Mr. Belinga-Eboutou, the Permanent Representative of Cameroon, for the excellent way in which he guided the work of the Council during his presidency last month. We would also like to greet the Minister for Foreign Affairs of Uganda, as well as Ambassador Mahmoud Kassem and other members of the Panel of Experts.

Our delegation has considered the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (*S/2002/1146*). The Government of the Syrian Arab Republic believes that it is vital to establish peace in the Great Lakes region, and in the Democratic Republic of the Congo in particular, through the implementation of all existing agreements, starting with the Lusaka Agreement and the Sun City, Pretoria and Luanda agreements.

In that regard, we call upon all the parties involved in the inter-Congolese dialogue and upon the neighbouring countries to speedily implement all those agreements. That would lead to prosperity for the region, put an end to the illegal exploitation of its resources and ensure the enjoyment by all citizens of the benefits of peace. After the complete withdrawal of all foreign forces and the halting of all military actions, a phase of reconstruction and the demobilization, disarmament and reintegration or repatriation of ex-combatants would begin.

We believe that the international community, the international financial institutions and donor countries should fulfil their commitments to help the region attain sustainable development and the objectives of the New Partnership for Africa's Development (NEPAD), by promoting the institutions of the Africa Union and supporting its programmes. In that regard, we commend South Africa and the United Republic of Tanzania for having facilitated the holding of various meetings and the achievement of several agreements. We also commend the representatives of the Secretary-General in the region and hail the important role played by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

Having considered the report of the Panel of Experts, we are a bit surprised by some of its contents and by its failure to secure irrefutable evidence before levelling blame and accusations against individuals and companies; indeed, this has been done even without prior contact with those individuals or with representatives of those companies. In addition, we reject conclusions volunteered by members of the Panel when such conclusions were not required or when they were based on reasoning that is difficult to understand. Here, we would like to note the report's political reference to a number of companies in Africa and in the Arab region. As far as we know, the report was not supposed to deal with the internal affairs of other African countries or with political aspects related to Arab countries. Therefore, we would like to express our dissatisfaction at the levelling of accusations and the description of some business people as members of international criminal organizations. Is that not somewhat exaggerated?

We also note that the report was based on information provided by informers, be they companies or competing traders. That affects the accuracy of the report and the credibility of the Panel of Experts. My delegation welcomed the efforts made by the Chairman and members of the Panel during the Security Council

mission to the Great Lakes region and subsequent in Council meetings. We understand the importance of the Panel's work and the importance of providing it with all the assistance it needs to collect documents that would support its conclusions.

We have also endorsed the idea that the Panel should meet with those mentioned in the report. But we feel that the Panel failed to make such contacts or to ask questions about the contents of a number of paragraphs relating to some major countries in the region and the relationship between those countries and some of the companies mentioned in the report.

Levelling accusations against Arab cities and countries such as Dubai and the United Arab Emirates in some paragraphs of the report was out of place and unacceptable. Our delegation believes that every accusation against Arab individuals named in the report can be answered and refuted, as the Permanent Representative of Oman said this morning. We confirm that these individuals and company representatives possess the documents needed to refute all the accusations levelled against them. They are entirely right to be dissatisfied, since the Panel neither contacted them nor gave them a chance to produce documents proving their innocence.

In annex I of its report the Panel lists the companies it recommends should be subject to financial restrictions; annex II lists individuals for whom the Panel recommends a travel ban and financial restrictions. This includes Arab, African and European business people. We believe that there is an urgent need to re-evaluate the entire contents of the report.

My delegation reaffirms its keen interest in revealing the whole truth behind the illegal exploitation of natural resources of the Democratic Republic of the Congo. However, we also reaffirm the importance of not undermining the reputation of individuals or companies or exaggerating certain incidents in the absence of the necessary irrefutable. The livelihoods of thousands of families depend on the activities of the accused business people and companies.

We reaffirm that all parties must be committed to the implementation of agreements recently reached, and to the implementation of the Lusaka Agreement. We reiterate that the only guarantee against the illegal exploitation of natural resources of the Democratic Republic of the Congo is continued efforts to establish a strong Government in that country that would ensure regulated, legitimate and sustainable exploitation of natural resources to the benefit of its people and of the region in general.

Yesterday, my delegation reaffirmed that informal consultations must be conducted to consider the report's recommendations and conclusions. At the same time, we reaffirm that we stand against any illegal exploitation of natural resources of the Democratic Republic of the Congo, and we reiterate the importance of taking the necessary measures to ensure that the natural resources of that country and throughout the African continent are used to benefit the continent's peoples, and that the illegal exploitation of wealth is brought to an end.

We reaffirm our keen interest in having the Council consider the report in an objective manner, and we support the idea that the Council should lay down very clear and specific guidelines with regard to the functions and work of any mechanism to be established by the Council in the future.

The President (*spoke in Chinese*): I thank the representative of the Syrian Arab Republic for the kind words he addressed to me.

Mr. Traoré (Guinea) (*spoke in French*): Let me first of all bid a warm welcome to the Minister for Foreign Affairs of Uganda and thank him for his important statement. I would also like to say how pleased I am to see you, Sir, presiding over the Council during November. We reaffirm that my delegation will continue its traditional cooperation. I would also like to commend the outstanding work done in the month of October by the delegation of Cameroon under the leadership of my brother, Ambassador Martin Belinga-Eboutou.

My delegation is grateful to Ambassador Kassem and the Panel of Experts for the quality of its report (*S/2002/1146*) on the illegal exploitation of natural resources and other wealth of the Democratic Republic of the Congo. The report establishes quite clearly the close link between the Great Lakes conflict and the exploitation of the resources of the Democratic Republic of the Congo, in violation of that country's territorial integrity and of international law.

The reports submitted by the Panel of Experts between April 2001 and October 2002 eloquently demonstrate our determination to put an end to the plundering of those resources and to find a lasting

solution to conflict throughout the region. The facts given in these reports have enabled us to cast light on the role of some and the intentions of others, which have unfortunately meant 3.5 million deaths and an ever disturbing humanitarian situation in the Democratic Republic of the Congo. With regard to the many consequences of the years of war, in all their various and complex dimensions, the Council must take the necessary steps with regard to those responsible for the plundering once their responsibility has been established.

With regard to our consideration of our reports of the Panel of Experts, my delegation would like to highlight some relevant aspects of its conclusions and recommendations. While we must welcome the official withdrawal of foreign troops from the territory of the Democratic Republic of the Congo, my delegation remains concerned over the continued presence of the ground of elite networks, with the goal of perpetuating the illegal exploitation of these resources in all its forms. That is why we support not merely verification that the withdrawal is genuine, but also an in-depth investigation of the elite networks.

My delegation agrees to establish a monitoring body for putting an end to the illegal exploitation of the resources of the Democratic Republic of the Congo. In that regard, priority should be given to Congolese expertise. To ease the humanitarian impact of planned measures and restrictions against companies and individuals involved in the plunder of resources, we agree that appropriate technical and financial assistance should be provided to Congo. Moreover, in its paragraph 155, the report indicates that an embargo or a moratorium banning the export of raw materials originating in the Democratic Republic of the Congo does not seem to be a viable means of helping to improve the situation in that country.

This approach, as we see it, is different from that suggested by the initial recommendations of the Panel of Experts. Are we to conclude that this is a new approach? My delegation would like some information in this regard. We endorse the interpretation of the Government of the Democratic Republic of the Congo with regard to the concept of invited and not-invited countries. That analysis is based on the sovereign right of every State. The Council should take it into account. Moreover, we agree with the recommendation in paragraph 157 that the establishment of a transitional government in Kinshasa should be accompanied by the disarmament of the rebel groups, the genuine withdrawal of foreign troops, the adoption of measures to curb illegal exploitation, and the application of serious multilateral pressures and incentives. The institutional reforms envisaged by the Panel of Experts are part of that approach and are aimed at restoring State authority throughout the country.

We welcome the significant progress in the multiparty negotiations on the formation of a transitional government in the Democratic Republic of the Congo, which would guarantee a promising future. Such progress will bolster the Pretoria and Luanda Agreements. Can the Group give us further information on the real nature of its collaboration with the Porter Commission in Uganda? We find this collaboration contradictory since it is called an "amiable working relationship" (*S/2002/1146, para. 132*) based on exchanges of information and evidence, whereas it is also stated that the Porter Commission doubts the credibility of the Panel's evidence.

In conclusion, my delegation would like to reiterate its support for the holding of an international conference on peace, security, democracy and sustainable development in the Great Lakes region. That initiative, which deserves the attention of all, should be a priority based on an integrated approach to the settlement of the ongoing conflict in the region.

The President (*spoke in Chinese*): I thank the representative of Guinea for the kind words he addressed to me.

Mr. Corr (Ireland): May I first extend the good wishes and full support of my delegation to you, Sir, as China assumes the presidency of the Security Council for this month. I would also like to thank very warmly the Permanent Representative of Cameroon and his colleagues for a presidency last month of skill and real achievement, which we appreciated very much. I would also like, on behalf of my delegation, to warmly welcome the Foreign Minister of Uganda to our meeting today. I thank him for his very comprehensive statement this morning. We look forward to the report of Judge Porter later this month.

I would like to thank you, Mr. President, for convening this public meeting of the Council to consider the final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (*S/2002/1146*). I wish to express the warm

appreciation of Ireland to Ambassador Kassem and his colleagues for their report. This has been a difficult task very well done, and we are in their debt. The representative of Denmark has already made a statement on behalf of the European Union, and Ireland, of course, fully associates itself with that statement.

The Panel, in all its successive reports, has consistently and rightly taken the view that without a resolution of the broader conflict in the Democratic Republic of the Congo and the Great Lakes region generally, it will be extremely difficult to achieve an end to illegal exploitation of the natural resources of the Democratic Republic of the Congo.

The situation is more complex than simple cause and effect. Violence and conflict fuelled the illegal exploitation of resources of the Democratic Republic of the Congo by foreign Governments and armies; exploitation, in turn, became in itself a prime factor in further exacerbating conflict and violence. Today, this exploitation and greed remains a powerful force against the achievement of peace and stability in a tortured land whose people want peace and deserve justice as part of peace.

The Pretoria and Luanda Agreements, building on the Lusaka process, offer the best — indeed, the only — way forward to peace and stability in the Democratic Republic of the Congo. And yet, the progress achieved to date, while real, remains distinctly tenuous as recent violent clashes in the eastern and north-eastern parts of the Democratic Republic of the Congo graphically illustrate. The situation in Ituri remains especially grave. All parties to the Agreements have an absolute duty to use their full influence to end military activity by all armed groups and militias under, or susceptible to, their influence. All sides must work, especially in the context of the current Pretoria talks, for an inclusive political agreement in the framework of the inter-Congolese dialogue. All must cooperate fully and in every respect with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The process of disarmament, demobilization, rehabilitation and reintegration (DDRR) must proceed with no impediments. And we in the Security Council, as we prepare to review the mandate of MONUC in support of the Pretoria Agreement, must play our part.

The detailed findings in the Panel's report are shocking. Let me clearly say that Ireland finds the report compelling in its analysis and in its general conclusions. It names countries; it names individuals and companies; it points a clear finger against those who systematically plunder and rob the resources of the people of the Democratic Republic of the Congo. It is a frightening assessment of what happens when greed and rapaciousness spiral out of control and feast on the suffering and misfortune of others.

It is the judgement of the Panel that, welcome as recent troop withdrawals from the Democratic Republic of the Congo by Rwanda, Zimbabwe and Uganda may be,

> "these withdrawals are unlikely to alter the determination of Rwanda and Zimbabwe, and Ugandan individuals, to exercise economic control over portions of the Democratic Republic of the Congo". (*S/2002/1146, para.13*)

Moreover, the Panel alleges that the Uganda People's Defence Forces (UPDF) "continue to provoke ethnic conflict" (para. 14); that Rwanda has prepared for withdrawal by putting in place economic control mechanisms; that senior officers of the Zimbabwe Defence Forces (ZDF) have enriched themselves from mineral assets of the Democratic Republic of the Congo and that this pattern continues; that an elite network of Congolese and Zimbabwean political, military and commercial interests seeks to maintain its grip on main mineral resources of the Government-controlled areas.

There is no need here to elaborate on the detailed findings of the Panel. My delegation will, of course, carefully listen to the arguments put forward by Governments, companies or individuals against whom a clear finger is pointed.

What is important for all sides is to safeguard and strengthen the peace process. My delegation finds extremely persuasive the recommendations of the Panel to consolidate this progress by a set of agreements or initiatives on reconstruction and sustainable development to address the economic dimensions of the Lusaka peace process and to provide incentives for continuing progress.

We fully support the proposal for a first set of initiatives involving quick-disbursing aid for the Democratic Republic of the Congo and other Great

Lakes countries involved in the conflict. We strongly support, as others have today, the convening of an international conference on peace, security and sustainable development in the region. We agree on the urgent need for reconstructing and reforming the State institutions of the Democratic Republic of the Congo. We agree also that a comprehensive economic and social development programme in the eastern Democratic Republic of the Congo be set up to assist a transition to a legitimate civilian administration.

My delegation supports the proposal for a review by a special commission of all mining and forestry concessions and contracts signed since 1997. Ireland also agrees with the Panel that the Governments of the countries where the individuals, companies and financial institutions that are systematically and actively involved in exploitation activities are based should assume their share of responsibility.

The recommendations of the Panel are measured and carefully calibrated in support of peace but in adamant opposition to further theft of resources that belong to the people of the Democratic Republic of the Congo. It is stated in the report that there is

> "ample justification for donors to respond to a Security Council resolution — which might be necessary — which would propose certain reductions in official aid to promote peace and good governance". (*para. 171*)

The Panel recommends that measures should also be aimed at making aid disbursements to Burundi, Rwanda, Uganda and Zimbabwe conditional on their compliance with the relevant agreements in the Lusaka peace process and on verifiable measures taken to halt illegal exploitation of the resources of the Democratic Republic of the Congo. Non-compliance would automatically trigger a review and reduction of assistance programmes for those countries but, in the recommendation of the Panel, this should not cover sector-specific allocations. I should add that this latter caveat seems to my delegation a wise and appropriate one. It is the exploiters, not the innocent, who should feel the strength of international concern.

The Panel recommends that implementation of this proposal would proceed in three stages, beginning with a grace period to permit verification of the compliance of all the parties to the conflict. Overall, this is an especially sensitive proposal, and the Panel rightly presents it in that light. We will consider it carefully with other Council members, not least bearing in mind, on the one hand, the clear need for disincentives against non-compliance and, on the other, the need to also fully safeguard the interests of poor people dependent on development funding support.

The Panel also recommends that the Council consider imposing certain restrictions on a number of business enterprises and individuals named in the report, but with a short grace period of several months before the restrictions are applied. That is a proposal my delegation will also carefully assess in the period ahead. It will, of course, be important for any actions in respect of any company or individual to be based on due assessment of evidence.

We agree with the Panel recommendations on adherence of business enterprises to the Organization for Economic Cooperation and Development (OECD) guidelines.

As regards the need for a monitoring body to report to the Council, I can state that Ireland fully supports this proposal.

That Panel's report is detailed and well documented. The recommendations are measured and fair. As we move forward in our support for the achievement of peace in the Democratic Republic of the Congo and in the Great Lakes region generally, and in guarding against those forces that are undermining the peace, I would conclude by fully endorsing the underlying theme that runs through this report: justice and peace cannot rest on foundations of injustice and wrong.

The President (*spoke in Chinese*): I thank the representative of Ireland for the kind words he addressed to me.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): First of all, may I welcome His Excellency Mr. Wapakhabulo, Third Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Uganda.

Since I am taking the floor for the first time in a public meeting of the Council under your presidency, Sir, I would like to join previous speakers in reiterating to you my delegation's sincere congratulations and expressing Cameroon's great satisfaction at seeing China succeed us at the head of the Security Council. China is a great country and a reliable friend with which we have excellent and varied ties of friendship

and cooperation. I can pledge our full cooperation during your term of office, which I hope will be particularly fruitful. May I also express our gratitude to all those delegations that have spoken such kind words about Cameroon; I thank them for their encouragement and appreciation of our presidency of the Security Council for the month of October.

Two weeks ago, we were saying here, during a public meeting on Central Africa, that our region has enormous potential and immense soil and subsoil wealth. We went on to point out that, because of that wealth, it has unfortunately been the object of every kind of greed, becoming thereby the African region with the most conflicts.

One of the merits of the final report (S/2002/1146) of Ambassador Mahmoud Kassem and his team is that it points to one of the causes — if not the principal cause — of the conflict that the Democratic Republic of the Congo has endured for several years. In truth, one of the causes for the Congo's instability since its independence is that the Democratic Republic of the Congo is sick — sick from its mineral riches. It is their victim.

Beyond the responsibilities of certain parties, the Panel's report unquestionably establishes that the Democratic Republic of the Congo has been plundered and exploited like no other country, to the benefit of the many-sided conflict whose theatre it remains. The report — which was submitted for our consideration and attests to the effectiveness of the illegal exploitation of the natural resources of the Democratic Republic of the Congo by various parties to conflicts under way in the Great Lakes subregion — gives rise to the most serious concern on the part of my delegation. We express that concern both because of the context in which the report is issued and because of its conclusions, whose seriousness will affect peace-building in the subregion.

With regard to the context, the international community cannot fail to welcome the beginning of the withdrawal of foreign troops from the territory of the Democratic Republic of the Congo, which is being carried out in the interests of peace and to re-establish the sovereignty of the Congolese Government over all its territory. In that regard, Cameroon would like once again to welcome the progress achieved in such an important area. We remain confident in the attainment of that objective, each of the parties having affirmed their good faith and their commitment to bring it about.

On the domestic level, we are witnessing an acceleration of the inter-Congolese dialogue, whose conclusion would complete the Sun City process with the international community's resolute support.

Those positive and promising developments, if they take into useful account the conclusions of the report of the Panel of Experts, should be swiftly consolidated and should guarantee the durable restoration of peace and security to the Democratic Republic of the Congo and to the subregion.

In its positive and prescriptive dimension, the report encourages negotiation by the subregional actors of new economic trade and integration agreements, based on a new consensus that respects the sovereignty of all States. To that end, an international conference of the Great Lakes countries — which has been called for earnestly by the subregion's heads of State and which Cameroon has advocated since 1996 — could usefully serve as a political pillar for such an initiative and could enable us to break the vicious circle of the illegal exploitation of the natural resources of the Democratic Republic of the Congo and of the continuation of hostilities on the ground.

My delegation's view is that, beyond all the sensibilities that might be aroused by the report submitted to the Council by Ambassador Kassem, only the reconstruction of the Democratic Republic of the Congo, with its political, economic and social infrastructures, is at stake. The international community must therefore encourage and assist that country in order to enable it to re-establish its authority over all its territory and to fully enjoy the riches of its soil and subsoil, in the interests of its own people. In that context, the reorganization of the extraction and commercialization sectors of the mining sector in the Democratic Republic of the Congo will be essential for the realization of those objectives.

Moreover, the strengthening of the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and of its military and logistical components should enable it to act to take better control over Congolese territory, in particular the north-east of the country, the theatre of recurrent hostilities. My country reaffirms its support for and hopes that MONUC's strengthening will take place quickly, in the spirit of the conclusions of the

Security Council's public meeting of 22 October 2002, devoted to relations between the United Nations and the States of the Economic Community of Central African States.

My delegation appeals to the countries of transit and destination of the natural wealth exploited illegally in the Democratic Republic of the Congo to finally take adequate measures to control and even, if necessary, to interdict such activities. In that context, the Kimberly Process related to the trade in conflict diamonds could, despite its drawbacks, be an excellent basis for work and reference. My country supports that Process and the Panel's recommendation to all States to cooperate fully.

Finally, in respect for Congolese sovereignty, Cameroon supports the recommendation of the Panel of Experts that the Security Council create a monitoring body charged with following up on activities related to the exploitation of natural resources in the Democratic Republic of the Congo.

The President (*spoke in Chinese*): I thank the representative of Cameroon for the kind words he addressed to me and to my country. I should also like to thank him for pledging to the Chinese delegation his full support and cooperation. My ability to succeed as President of the Council during November rests on the excellent groundwork laid in October.

Mr. Thomson (United Kingdom): Since this is our first opportunity to speak this month, I should like to join previous speakers in welcoming China's assumption of the presidency of the Security Council and to offer you, Sir, and your colleagues the full support of my delegation during this challenging month.

Like previous speakers, I should also like to thank the Permanent Representative of Cameroon and his delegation for their efforts during their presidency of the Council last month.

We are very pleased to see here today and to have heard the Deputy Prime Minister and Foreign Minister of Uganda. We thank him for making the effort to be present.

The Danish Ambassador delivered this morning a statement on behalf of the European Union and associated countries. The United Kingdom fully endorses that statement.

We welcome the Panel of Experts' report and appreciate all the hard work that has clearly gone into it. We look forward to continuing work on the detail of the report. On this occasion, I should like to be quite brief and to dwell on just a few of the main points.

Our priority — and, I think, our collective priority — is the need to ensure that the people of the Democratic Republic of the Congo benefit from the exploitation of the country's natural resources to aid development, peace and stability. We therefore urge all the parties named in the report to investigate seriously the allegations made and to respond fully to its recommendations.

My Government hopes that the Panel's Chair will nominate a spokesperson to respond to questions from organizations and individuals named in the report and its annexes. We would encourage the Panel to share information with Governments and companies named, to the extent possible without compromising source protection, so as to allow them to carry out full investigations and take any necessary action.

We have noted with concern that key parties identified in resource exploitation have also been named as being involved in supplying arms to foreign armed groups, in breach of their obligations as signatories to the Lusaka Ceasefire Agreement. We call again on all parties to stop supplying foreign armed groups in the Democratic Republic of the Congo.

We note the explicit connection that the report makes between resolving the issue of resource exploitation and the establishment of an agreed, fully inclusive transitional Government in the Democratic Republic of the Congo. We call on all parties to the inter-Congolese dialogue to renew their efforts to that end.

My Government welcomes the statement made by the Democratic Republic of the Congo's Public Prosecutor that he will investigate the report's findings. This response contradicts some other statements made by the Government of the Democratic Republic of the Congo rejecting the report's allegations against senior Government figures, so we hope that the Government of the Democratic Republic of the Congo will clarify its position and respond constructively to the report's recommendations.

The Government of Rwanda has issued a detailed response to the Panel's report and we heard the

Rwandan representative speak eloquently on the subject this morning. We call on the Government of Rwanda, in common with other parties named in the report, to respond constructively to the report's recommendations.

The Panel notes unconfirmed reports that some personnel of the Rwandese Patriotic Army remain in the Democratic Republic of the Congo. We understand that the Third Party Verification Mechanism (TPVM) and the United Nations Organization Mission in the Democratic Republic of the Congo have looked into such allegations and are satisfied that Rwandan withdrawal from the Democratic Republic of the Congo is complete. We call on both parties to implement their Pretoria commitments in full and with full transparency and we express our full support for the TPVM in carrying out its monitoring role.

The Ugandan Government responded publicly and in detail to the report this morning. We call on the Government of Uganda to respond constructively to the report's findings and we, like others, look forward to the findings of the Porter Commission. We welcome the Government of Uganda's statement that the Porter Commission has the judicial powers of the High Court and is independent of the executive.

Finally, we also call on the Zimbabwean Government to respond to the report's findings. We listened carefully to the representative of Zimbabwe's presentation this morning. The Council will need to consider very carefully all aspects of the Panel's report, including those relating to Zimbabwe.

The President (*spoke in Chinese*): I thank the representative of the United Kingdom for his kind words addressed to me.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): My delegation congratulates you, Sir, on your assumption of the presidency of the Security Council and offers you our highest commitment of cooperation with the Council as it carries out its tasks this month.

We also wish publicly to thank the Ambassador of Cameroon for his magnificent work at the helm of the Security Council in October.

We welcome the Minister for Foreign Affairs of Uganda to our meeting.

I wish to begin by stressing the great importance of the introduction of the report before the Council, which was undertaken, as proposed by the Chinese presidency of the Council, so that we may consider its contents together with the countries that are referred to in the recommendations and findings contained in the report and that have been involved with the Democratic Republic of the Congo in recent years. We believe that the report's topic is one of the key elements in the restoration of peace and security to the region and in the establishment of political stability in the Democratic Republic of the Congo, along with respect for the fundamental rights of the citizens of that country.

The peace process must be lasting. It is advancing thanks to progress made in recent months, most certainly including the political agreements that have led to the onset of the definitive withdrawal of foreign troops from the territory of the Democratic Republic of the Congo. We believe that, in the next phase, full sovereignty must be restored to the Congo over its natural resources. My country considers that to be an essential ingredient of economic development, peace and security in the region.

The natural resources with which the Democratic Republic of the Congo is generously endowed constitute fundamental attributes of that country's sovereignty and must serve, first and foremost, the economic and social development of Congolese citizens. They can also be an engine for the economic and social development of the region if they are rationally exploited by means of equitable and fair machinery that will benefit the Congolese and their African neighbours. In order to be able to achieve that objective, important far-reaching measures will have to be taken in the Democratic Republic of the Congo as well as in the neighbouring countries, which the international community must support.

The report prepared under Ambassador Mahmoud Kassem, which is before us today, is a very rich document that provides very important revelations and, therefore, is very controversial. My country believes that the Security Council is committed to giving timely follow-up to the recommendations of the Panel of Experts, evaluating them and assessing their applicability. In keeping with its responsibility, the Council must also ensure that the follow-up to the findings of this report will lead to full clarification of the criminal acts referred to in this report, and that can also lead to holding those involved in these possible criminal acts responsible for their actions. The

establishment of the rule of law is a main instrument for the exercise of the sovereignty by the Democratic Republic of the Congo over its natural resources.

The report describes the significance of the illegal exploitation of natural resources as an element that explains the nature of the conflict the Democratic Republic of the Congo is still experiencing and the size and magnitude of the challenges involved in confronting the basic causes and motives of that conflict in the search for lasting peace.

I believe that the report contains elements that should provide a standard for initiating investigations within the Democratic Republic of the Congo, as well as within the jurisdiction of the countries referred to in the report, particularly in Rwanda, Uganda and Zimbabwe. The Security Council must respond completely and impartially to the comments made by the authorities of those countries on the content of the report. Yet, it must also encourage those authorities so that the necessary investigations are carried out to provide clarification on the nature of the events described in the report and, when necessary, to clarify its veracity.

The conditions under which this report was prepared were not easy, and the Security Council should not disregard that fact. The difficulties of identifying sources to obtain the information to carry out the investigations within the limitations stemming from the nature of the work of this Working Group must be considered by the Council and must be a point of departure for fairly evaluating the work and effort achieved by the Panel of Experts.

My delegation believes that the recommendations made by the Experts must be discussed and analysed at length by the members of the Security Council in order to determine what measures are necessary so that we may agree on ones that may be appropriately applied. They are recommendations that respond to the protection of natural resources and the establishment of mechanisms that ensure their legitimate exploitation, as well as recommendations that relate to building the foundations of a just and lasting peace in the Democratic Republic of the Congo.

The Working Group must continue its work, and it must be founded to a certain degree on a mechanism to maintain monitoring in the new phases of regulation and control of natural resources, which, we hope, will be forthcoming. Sustained social and economic development, a mechanism of governance and entrenchment of the rule of law in the Democratic Republic of the Congo, under fully transparent conditions, and the effective fight against corruption — only these will guarantee that the Congolese will ultimately be the beneficiaries of the immense natural wealth bestowed on that nation.

My delegation must insist that the Council continue to be committed to the work proposed by the recommendations and findings of this report. We believe that dialogue, which the authorities of the Democratic Republic of the Congo and its neighbouring countries, cited many times in the report, must continue within the Working Group. This will provide the procedure that will enable us to achieve our objectives.

In conclusion, the report contains a description of the problem of the illegal exploitation of the natural resources of the Democratic Republic of the Congo that involves private, national and foreign companies and authorities of the Democratic Republic of the Congo and of other countries, as well as criminal organizations openly engaging in illegal activities. That complicated combination, described in the report, also speaks to us, the international community at large, of the need to make both neighbouring countries and countries distant from the Democratic Republic of the Congo responsible for establishing mechanisms to prosecute crimes, investigate them and to make justice and law prevail. We believe that the Democratic Republic of the Congo will not be able by itself to carry out the enormous task of re-establishing control over its natural resources if it does not have the strong support of the authorities of other countries and the international community as a whole. The Security Council must remain vigilant and ensure that this machinery for cooperation and these commitments are fulfilled.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): I wish at the outset to express our satisfaction at seeing you, Sir, presiding over this post and to wish the members of your delegation success throughout the month of November.

We would also like to thank Ambassador Martin Belinga-Eboutou and his team from the delegation of Cameroon for the important work they did last month.

The delegation of Colombia would like also to thank the Panel of Experts, chaired by Ambassador

Kassem, which has fulfilled its task of investigating the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo. We have received from them a report on a complex and demanding topic, which has led to the submission of recommendations that should not be overlooked by the Council.

The accusations made against certain individuals and companies with respect to the illicit appropriation of the natural resources of the Democratic Republic of the Congo are causes of deep concern to our delegation because of the effects of this phenomenon on the Congolese people, the continuation of the armed conflict, and peace in Africa.

For that reason, we would like to thank the various countries mentioned in the report that have spoken at this meeting. They have given us an opportunity to hear their views concerning these accusations. Most particularly we would like to welcome the presence of and the statement made by the Minister for Foreign Affairs of Uganda.

The Council is accustomed to considering situations of conflict from the perspective of international security, including its political and humanitarian aspects. That may be why we were shocked to hear the experts' statement that the economic ambitions of certain elite networks established in various parts of the Democratic Republic of the Congo and connected to international criminal organizations offer the best explanation for the continuation of armed conflict in that country.

We know, of course, that in all wars there are always those, such as arms traffickers or unscrupulous bankers, who profit from the suffering of a large number of people. But if our understanding of the report is correct, in the case of the Congo, plundering has become the main reason for the continuation of the war.

We are even more concerned by the assertion that this criminal undertaking is being encouraged by economic agents located within the country, even following the withdrawal of the foreign troops that had been there.

For us, this assessment is a call to speedy and effective action on the part of the Security Council and, in keeping with the recommendations made in the report, my country would like to note three possible courses of action.

First, we must strengthen the institutional capacity of the Congolese State, because its weakness and, indeed, its absence in many parts of the country, particularly in the eastern provinces, have led the aforementioned elite networks — which have economic, political and military power — to fill the resulting vacuum by engaging in the acquisition of State enterprises and the collection of taxes and customs duties, inter alia. This is where the plundering begins, and it must be stopped.

Secondly, the other countries whose nationals and companies have been denounced by the Panel of Experts must be called on to take energetic action to investigate these accusations within a reasonable time frame. We believe that in this respect, legal action and the punishment of those responsible for the illicit exploitation of the resources of the Congo are factors that contribute to the peace process.

In the grey area between what is legal and what is illegal in situations of conflict, frequently we find companies that appear to be engaging in transactions that are legal, when, in fact, they are not legal at all, and often they are involved in a money-laundering system. In addition, the accusations contained in the report may contribute to efforts to do away with impunity, which will be a decisive factor if reconciliation in the Democratic Republic of the Congo is to take place.

The nationality of an individual or business cannot be used to evade responsibility for acts that the international community wishes to sanction.

Thirdly and lastly, my delegation believes that we should consider the recommendation of the experts that we draw up a list of individuals whose travel and access to financial markets should be restricted, as well as of companies or commercial enterprises whose financial access should also be restricted because of their participation in the illicit exploitation of the natural resources of the Democratic Republic of the Congo.

The function of the Council in the maintenance of international peace and security requires that once we have committed the efforts of the United Nations to the restoration of peace in areas of conflict, as we have done through the United Nations Organization Mission

in the Democratic Republic of the Congo (MONUC), then we must do our utmost to ensure that there will be a sustainable and lasting peace. In the case of the Congo, this means returning to its population and to its Government access to the resources that have been wrested from them by the war.

The President (*spoke in Chinese*): I thank the representative of Colombia for the kind words he addressed to me.

Mr. Tafrov (Bulgaria): I should like to extend to you, Sir, Bulgaria's heartfelt congratulations on China's assumption of the presidency of the Security Council for this month of November, which looks to be replete with challenges. I would like to assure you of the full cooperation of my delegation during the Chinese presidency.

I should like also to thank Ambassador Belinga-Eboutou and the delegation of Cameroon for their outstanding presidency in October. Ambassador Belinga-Eboutou was able successfully to carry out a very difficult task, and we are grateful to him.

I thank you also, Sir, for having convened this public meeting of the Security Council on the final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, which has led to a very important debate, enhanced by the presence of the Deputy Prime Minister and Minister for Foreign Affairs of Uganda, who made an important statement this morning. I would like to thank him for being so kind as to take part in our work.

Bulgaria welcomes the final report of the Panel of Experts, which offers a detailed and systematic analysis of a great deal of information and data on the illegal exploitation of the natural resources of the Democratic Republic of the Congo. The Panel's experts, guided by Ambassador Kassem, must be commended for their courage and determination and for the rigorous methodology with which they carried out their work.

As a country associated with the European Union, Bulgaria fully associates itself with the statement made by the representative of Denmark on behalf of the European Union. I should like to add a few comments in my national capacity.

My country is deeply concerned at the relentless exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo and at the fact that this exploitation remains one of the key reasons for the conflict and for the insecurity that continues to prevail in the eastern part of the country.

It is true that the combat against illegal exploitation is not an easy task. In order to be effective, efforts to reduce and put an end to illegal trafficking should be undertaken in a concerted manner by the international community and by the countries of the Great Lakes region and other areas. We should note that the recommendations and conclusions contained in the final report are well founded, as we see it, and should be taken into account in future efforts of the Security Council to put an end to this practice.

My delegation supports the report's appeal to Governments that harbour individuals, companies and financial institutions that are actively involved in the exploitation to shoulder their responsibility by making detailed internal inquiries into the cases referred to in the final report and taking the necessary steps to ensure that such illegal practices are brought to an end.

My country agrees with the analysis of the European Union to the effect that it is important for Governments of countries members of the Organization for Economic Cooperation and Development (OECD) to encourage private enterprises to abide by OECD Guidelines for Multinational Enterprises.

Regional and subregional institutions, in particular the African Union, the Economic Community of Central African States and the Southern African Development Community should use their influence to persuade the parties concerned to put an end to the illegal exploitation of the Congolese resources.

Bulgaria shares the view that the complete withdrawal of all foreign forces, pursuant to the agreements signed, is an essential step in the process of ending the illegal exploitation of the natural resources of the Democratic Republic of the Congo. Bulgaria remains fully committed to the principle of the sovereignty and territorial integrity of the Democratic Republic of the Congo. Other key steps include the disarmament, demobilization, repatriation, reintegration and resettlement of all rebel groups, as well as the conclusion of a more comprehensive and all-inclusive agreement among the Congolese with regard to political transition. In that respect, we welcome the progress achieved in the framework of the

discussions in Pretoria. My country hopes that the Congolese parties will continue to pursue that promising approach with a view to reaching an inclusive final agreement on political transition in the near future.

My delegation believes that in order to consolidate peace and security in the Great Lakes region in the long term, an international conference must be convened on peace, security, democracy and sustainable development in the region. In that connection, Bulgaria supports the recommendation of the Panel of Experts to convene such a conference. In-depth preparations should be undertaken in this respect, with the participation of the countries of the region and international actors, in particular the United Nations, the European Union, the African Union and the Bretton Woods institutions. The goal of such a conference should be to set out the steps that need to be taken to promote the economic recovery of that part of Africa and ensure a return to peace.

Bulgaria believes that it is essential to continue to follow closely the situation with regard to the illegal exploitation of the natural resources of the Democratic Republic of the Congo and the link that exists between such exploitation and the continuation of the conflict, so as to put an end to such illegal exploitation. It must be said that the work of the Panel of Experts has proved useful, not only in shedding light on illegal practices, but also in helping to advance the peace process in the Democratic Republic of the Congo. We believe that the Security Council must preserve the monitoring capacity of the Panel so as to ensure that the illegal exploitation of Congolese resources is considerably reduced. In that regard, my delegation supports the recommendation of the Panel of Experts that a monitoring body be set up for the Great Lakes region. Other similar avenues could be explored, such as extending the mandate of the Panel of Experts.

The report of the Panel of Experts contains findings on individuals and companies referred to in earlier reports that have been implicated in other African conflicts. That is a further illustration of the fact that sometimes the same individuals and companies are involved in several trafficking activities on the African continent. This morning, Ambassador Levitte and others made some very interesting comments in this regard, and my delegation fully agrees with those analyses. Bulgaria believes that we should continue to consider this issue in the Council with a view to finding the best way to tackle these deplorable phenomena. The idea of creating an autonomous mechanism has been suggested, and Bulgaria agrees with that proposal.

In conclusion, I would like to emphasize my country's commitment to working tirelessly as a non-permanent member of the Security Council to put an end to the illegal exploitation of the resources of the Democratic Republic of the Congo so that the people of that country, who have suffered so greatly in recent years, might finally be able fully to benefit from the wealth of their country.

The President (*spoke in Chinese*): I thank the representative of Bulgaria for his kind words addressed to me.

Mr. Williamson (United States of America): The Security Council quite properly has devoted a great deal of time and attention to the war in the Democratic Republic of the Congo. The United Nations Organization Mission in the Democratic Republic of the Congo is among the most costly anywhere in the world. The terrible conflict continues to destabilize the Great Lakes region of Africa and the horrendous toll in human suffering is staggering. Millions of people have lost their lives as a result of that war, both those killed in violent clashes and those who have died due to the consequences of war — disease and famine. That bloody conflict has created millions of internally displaced people and refugees. As described in the Security Council last week by Office for the Coordination of Humanitarian Affairs Deputy Carolyn McAskie, the humanitarian suffering is staggering. It is agonizing. This conflict must end.

In that regard, we must continue to support the various political efforts to end the warfare, including the inter-Congolese dialogue, the Pretoria Agreement, the Luanda Agreement and any other efforts that might constructively contribute to the path to peace.

We must also be mindful of the various things that ignited this conflict and prolonged it. Refugee flows, ethnic hatred, regional insecurities and the lust for power and land are among the factors that have inflamed this terrible struggle that has imposed such a horrendous cost in terms of human lives lost and humanitarian suffering endured. Another significant reason why the conflict has gone on for so long and imposed such a terrible cost is greed — the quest for

money from the illegal exploitation of resources from the Congo.

In the light of this, the United States is especially pleased by this open meeting of the Security Council to discuss the report of Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2002/1146). The independent Panel of Experts has produced a valuable and detailed report, outlining issues of key concern to the United States.

My delegation is still studying the report. We are listening closely to the comments being made on the report in the Council today by interested Governments. We intend to factor them into our conclusions on how to move forward. In that regard, I would like to share a few of my Government's initial thoughts on the report.

We congratulate Ambassador Kassem and the other members of the Panel for identifying those suspected of involvement in exploiting the Congo's natural resources — diamonds, copper and cobalt. It takes great courage to speak the truth to those in power. The Panel has done that. We commend it for that.

The report is convincing in the connection it makes between the money flows from the illegal exploitation and the continuation of the violence in the Great Lakes region. That illegal exploitation threatens to derail the progress achieved in the peace process. That cannot be allowed to happen.

Corruption thrives in darkness. It takes root behind doors closed to public inspection and media scrutiny. The naming of those involved and the description of how they work is, in and of itself, a valuable tool. It puts a spotlight on this corruption for the public to see. Where the public is free to express its outrage and concern, the Panel's report gives the public the tools to pressure Governments in the region to act to stop this looting. As an example of this, we note the extensive discussion of the report and its findings in the newspapers and other media in the Democratic Republic of the Congo. The Panel's conclusions and its naming of Government officials possibly involved in corruption achieved a primary goal: public scrutiny and debate.

This, in turn, has led the Attorney General of the Democratic Republic of the Congo to open investigations into each of the Government and military officials named in the report. It was certainly not an easy step for the Government to take. We commend the Government of the Democratic Republic of the Congo. We contrast its actions to the categorical denials of many other Governments whose officials are named in the report.

It is the responsibility of all those States whose officials, military leaders or business people are named to take action to fully address the allegations made. This responsibility is especially the burden of the Governments that the Panel has identified as having the most ties to those carrying out this exploitation: Rwanda, Uganda and Zimbabwe.

Where States have named special investigators or created special commissions, there must be a commitment to see those investigations to the end, no matter where the trail of corruption may lead. Uganda, for example, cannot assume that the creation of a Commission to investigate these allegations is enough. The Panel has pointed out the need for that Commission to have real authority to investigate, obtain evidence and follow up where the trails lead.

The responsibility of Governments to respond to the Panel's report does not fall just on the States in the region, however. The United States Government notes with concern that nine American companies have been identified in the Panel's report. The United States Government will look into the allegations against these companies and take appropriate action. We will not turn a blind eye to these activities. Also, the United States will continue to support work and to provide leadership to efforts to strengthen and to extend the Kimberly Process, intended to prevent African warlords from fuelling their conflicts through blood diamonds, including in the Democratic Republic of the Congo.

Yesterday and today, there are meetings in Interlaken, Switzerland, to approve new rules intended to ensure that diamonds will be certified as untainted. The goal is to prevent illicit diamonds from being used to pay for the weapons used in war throughout Africa, including the Democratic Republic of the Congo. The United States Government wants to see that legally binding rules for a diamond certification process are in place by 1 January.

We encourage all United Nations Members, whether named in the report or not, to respond to the report's findings by seeking ways to encourage transparent business practices that will benefit, first

and foremost, the people of the Democratic Republic of the Congo. We also encourage States to investigate and prosecute the illegal activities highlighted in the Panel's report and to cooperate with other States in such investigations.

My delegation believes regional organizations, such as the African Union, the East African Community and the Southern African Development Community, should use their influence to pressure the parties involved to end the patterns of exploitation.

The report of the Panel of Experts clearly demonstrates that further investigations are warranted, especially since the problems posed by illegal resource exploitation and unregulated weapon flows are found not only in the Democratic Republic of the Congo but also in a number of other States in Africa.

The President (*spoke in Chinese*): The next speaker inscribed on my list is the representative of Angola. I invite her to take a seat at the Council table and to make her statement.

Mrs. Izata (Angola): First, allow me to congratulate you, Mr. President, on your assumption of the Presidency of the Security Council for the month of November and to express the support of my delegation in the arduous work ahead of us during this month, including the situation in Angola. Allow me also to congratulate the outgoing President, Ambassador Belinga-Eboutou of Cameroon, for the brilliant manner and dedication with which he conducted the proceedings of the Council during his mandate.

I am taking the floor to thank the Panel of Experts for its report on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2002/1146). This is the fourth report on this matter, and the practical results have not met our expectations. As a consequence, a greater coordination of efforts is necessary to find clear solutions which may help to end the war in our sister Republic. The illegal exploitation of resources and the politico-military situation in the Democratic Republic of the Congo are a matter of concern for Angola, which has a border of approximately 2,000 kilometres with that country. Therefore, it is important for Angola to support measures to end that exploitation, which hinders the political, economic and social development of the Democratic Republic of the Congo.

Let me stress that the report does not include Angola among the countries illegally extracting natural resources from the Democratic Republic of the Congo. That confirms the statements frequently repeated by my Government.

The report brings to our attention increasing activities of traffic networks, allegedly supported by the members of some Governments. Those activities endanger the peace and national reconciliation process now under way in the Democratic Republic of the Congo.

Angola is of the view that all activities must be directed to help the peace process and the efforts of the international community, particularly those of my country, in order that the natural resources of the Democratic Republic of the Congo are used to improve the situation of the whole country and not to enrich a few individuals.

It is well known that Angolan and allied forces went to the Democratic Republic of the Congo at the invitation of its Government, without any benefit or material compensation, to help that country face a difficult situation. That was reiterated once again in the speech by Mr. Léonard She Okitundu, Minister for Foreign Affairs and Cooperation of the Democratic Republic of the Congo, when the report was presented. We are encouraged by that statement, and we also take good note of the decision of the Public Prosecutor of the Democratic Republic of the Congo to open a judiciary investigation on that country's nationals who are named in the report, showing that country's willingness to take the recommendations of the report seriously.

The October 2002 communiqué by the allied Heads of State exalted the role played by the alliance against non-invited forces. Therefore, as stated by the Democratic Republic of the Congo, the legal status of forces invited by the Government of the Democratic Republic of the Congo to its territory should not be confused with the activities of forces of countries that have not been invited, and which are undertaking illegal activities there.

The Democratic Republic of the Congo is a sovereign and independent country. Its Government is recognized by the international community. It has the right to sign agreements with other States in conformity with national and international laws. No one else, in our opinion, has the right to rule over the

Congolese Government and people or to dictate how they should act. It is up to the Government and the people of the Democratic Republic of the Congo to determine their own destiny and to decide who their allies and friends will be, as well as the forms of their cooperation with those allies.

As is well known, the Republic of Angola has already withdrawn its forces from the territory of the Democratic Republic of the Congo. This decision was taken jointly, in a responsible manner and in the interest of the Democratic Republic of the Congo, in order to facilitate the pacification of that country.

As a sovereign State, Angola will always honour its commitments because it acknowledges the importance of peace, stability and development, not only for the Democratic Republic of the Congo but also for the Great Lakes region and all of Southern Africa.

We call for the withdrawal of uninvited forces from the territory of that country, respect for the Security Council resolutions and of the Lusaka Agreement, as well as the fulfilment of the commitments reached in Pretoria and Luanda, including the inter-Congolese dialogue. This is the course that will enable us to resolve the present crisis of the Democratic Republic of the Congo.

Angola will continue to work and coordinate its actions with the legitimate Government of the Democratic Republic of the Congo and with the peaceful forces. Our goal is to bring the peace process of that country to completion as soon as possible. We will support all measures along that path.

The President (*spoke in Chinese*): I thank the representative of Angola for the kind words addressed to me.

I will now make a statement in my capacity as the representative of China. I thank Mr. Kassem and the Panel of Experts for their efforts in completing their final report. I also wish to welcome the presence of Mr. James Wapakhabulo, Deputy Prime Minister and Minister for Foreign Affairs of Uganda.

My country has always held the view that the illegal exploitation of the natural resources of the Democratic Republic of the Congo violates the sovereignty and territorial integrity of that country, while exacerbating the conflict throughout the entire Great Lakes region. Such activities are unacceptable and must immediately cease.

Mr. Kassem and members of the Panel of Experts carried out extensive investigations, providing a lot of specific material to the Council. We are sincerely grateful for their efforts. However we should, at the same time, see that the illegal exploitation of the natural resources of that country is a complex issue linked to such questions as the withdrawal of foreign troops and the disarmament demobilization, reintegration and rehabilitation programmes (DDRR). As such, the Panel calls for a comprehensive and integrated solution. We are gratified to learn that the withdrawal of foreign forces and the DDRR programmes are now under way, and that the inter-Congolese political dialogue is yielding results.

Progress in the peace process in the Democratic Republic of the Congo will help solve the question of illegal exploitation. We hope that, with the assistance of the international community, the Government of the Democratic Republic of the Congo will soon exercise control over the natural resources throughout its territory.

As demonstrated in the statements made today, there are divergent views over the contents of the report, including the recommendations contained therein. I wish to take this opportunity to point out that the report alleges that there are Chinese companies engaged in the illegal exploitation. We have carried out careful investigation but found nothing that would justify those allegations. We believe that, in discussing such questions, the Security Council should distinguish between illegal exploitation and day-to-day economic and trade exchanges, so as to avoid negative impact on the economic development of the Democratic Republic of the Congo and the livelihood of its people. Also, the views of that country and others concerned should be carefully listened to.

I now resume my function as the president of the Council. I now give the floor to Mr. Kassem to respond to questions and comments made.

Mr. Kassem: Let me first say that it is with great pleasure and honour that I have been invited to address members of this Council and the Ministers and Ambassadors of Member States, whose presence today signals the commitment of the Council to ending the violent conflict that has ravaged the Democratic Republic of the Congo for four years.

If you permit me, I would like to begin by thanking last month's president of the Council,

Ambassador Belinga-Eboutou, for his assistance in organizing the previous presentation in October of the Panel of Expert's fifth report. I would also like to express my gratitude to the current President of the Council, Ambassador Wang Yingfan, for his assistance in arranging today's meeting on the report and the consultations that will follow. On behalf of the Panel, I would also like to express our sincere thanks to all Council members for the valuable support and assistance they have provided us with during our current mandate and the attention they have continued to devote to the issue of the illegal exploitation and its links to armed conflict.

I have closely listened to both the negative and positive remarks made during this afternoon's meeting. After careful consideration, I am convinced that the answers to most of these remarks can be found in sufficient detail in the Panel's report. I shall therefore confine myself to commenting on only some of the remarks, namely those by Rwanda, South Africa, Zimbabwe, Syria, in particular with respect to the role of companies. As for Uganda, the Panel is awaiting the report of the Uganda Judicial Commission of Inquiry, which is expected to be published after 15 November this year. A detailed response to the Commission's report will be prepared and presented to the Security Council by the Panel.

Let me first begin with Rwanda. In its reaction to the Panel of Expert's most recent report, the fifth since 2000, the Rwandan Government appears, in its statement of 24 October and its letter dated 28 October (*S/2002/1207*), to have either overlooked some elements of the Panel's work or misconstrued some of its findings. The Panel would like to emphasize the continuity of its work over the course of the two years of its mandate. Its reports should not be read or interpreted in a piecemeal fashion. They should be understood as an integrated body of investigative work, which reflects the evolution of the situation on the ground in the Democratic Republic of the Congo, particularly the eastern part, where most armed confrontations have taken place over the past two years.

The Rwandan Government alleged that the Panel has ignored the historical background of the conflict and the economic relations in the region. In its Addendum (S/2001/1072), dated 13 November 2001, the Panel of Experts validated Rwanda's claims. The security threats involving forces implicated in the 1994 genocide had contributed to the outbreak of the current conflict. In the Addendum, the Panel also made reference to traditional trading patterns that have linked the economy of the eastern Democratic Republic of the Congo to those of Rwanda and other neighbouring States in the Great Lakes region. These patterns, however, have never included cross-border trade in large volumes of coltan as has been the case since early in this conflict.

The Panel's findings are indicative of the changing nature of this conflict, including the role played by the remnants of the original ex-Rwandan Armed Forces (ex-FAR) and Interahamwe. The economic, social and political forces that shaped and are shaped by this conflict are dynamic, not static. The day-to-day situation on the ground is volatile and has been manipulated or misunderstood by many parties, clouding the peace process.

The Panel's most recent investigations indicate that the Rwandan Hutu armed groups in the Democratic Republic of the Congo no longer represent the security threat that they did four to five years ago. This investigation also revealed, unsurprisingly, that shared economic interests and survival needs can encourage one-time enemies to collaborate. This would not be the first war, nor is it likely to be the last, in which this occurs.

The Panel has repeatedly underscored in its reports the need for an effective solution to the proliferation of armed groups, Congolese as well as foreign, in the Democratic Republic of the Congo. It has also called for the implementation of the disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) programme that can respond to the complexities of the situation of the armed groups and take into account the many overlapping conflicts of which they are a part.

As for South Africa, the expert Panel is surprised, really surprised, by the reaction of the South African Government, which could be construed as that of a Government that has directly implicated by the Panel in the economic exploitation. The Panel did not imply that the South African Government or any South African official has been directly involved in this conflict, linked to commercial activities. The Panel is simply perplexed by the South African Government's disappointment in the Panel's conclusions and recommendations, which the Panel believes are

balanced, oriented towards promoting lasting peace and consistent with the new goals of the New Partnership for African Development.

Coming to Zimbabwe, there are several points that need to be re-emphasized in terms of the Panel's investigations and findings on the involvement of Zimbabwean parties in the exploitation activities, in collusion with others. As has been the case for other foreign armies, one only needs to look at the areas where the Zimbabwean troops have been deployed to realize how their deployment has strategically corresponded with the location of the concessions that they benefit from. Areas of military influence have closely overlapped areas of economic control. Zimbabwe's support to the Burundian Forces for the Defense of Democracy (FDD), which is described in the Panel's Addendum November 2001, provides a clear example of how this country actively continued to take steps to prolong the conflict. Virtually all the members of the network that has operated in the area controlled by the Kinshasa Government, including the Zimbabwean officials, have either had direct military roles in the conflict or have strong links to military and security services. Most of the foreign private businessmen that have been brought into the joint venture, primarily by the Zimbabwean parties, are investors in or are associated with companies providing military supplies and services.

According to testimony and documentation guarded by the Panel, various Zimbabwean network members and many of their corporate business partners in the Democratic Republic of the Congo, are implicated in the following: First, actively seeking military procurement contracts and brokering sales of military equipment and arms through high-level contacts. Secondly, violating European Union sanctions by facilitating the sale of military equipment from European companies to the Zimbabwean Government. Thirdly, negotiating clandestine arms purchases with foreign arms manufacturers. Fourthly, smuggling of commodities such as diamonds from other conflict zones. Fifthly, forcibly displacing populations and or seizing lands from areas where precious mineral deposits are located.

Since the Government of Zimbabwe still steadfastly maintains its position regarding the legality of its contracts and concessions with the Democratic Republic of the Congo Government, then it should be the first to welcome a review of its economic and financial activities in the Democratic Republic of the Congo. The re-examination of these agreements, with the collaboration of third parties, in a transparent manner, and in accordance with the resolution adopted in the Inter-Congolese Dialogue Conference in South Africa, would reconfirm their status. This would enable both Zimbabwe and the Democratic Republic of the Congo to engage, without any suspicion or obstacle, in sound and sustainable commercial relations under fair market terms, something that would unarguably be beneficial to both the Congolese and the Zimbabwean people.

As regards the letter of the Zimbabwean Permanent Representative to the United Nations, dated 17 October 2002, and addressed to the Security Council, which refers to a document mentioned in the Panel's report, I can only offer the following comments: the Panel deplores the language used by His Excellency in his letter. Above all, with regard to the Security Council, references such as "party to the conspiracy against my country", are not worthy of distinguished delegates or dignified Member States. These excesses are regrettable and only distract from a debate on the substantive issues. The subject of the Permanent Representative's letter is a specific document mentioned in the Panel's report. Unfortunately for His Excellency, information contained within this particular document has been corroborated by independent sources and several other documents obtained from additional sources; otherwise the Panel would not have made reference to it in its report.

Alluding to the integrity of the United Nations, His Excellency questions why the Panel did not attempt to verify the document with the Government or the Permanent Mission of Zimbabwe. The Panel would have sincerely welcomed an opportunity to exchange views with the Zimbabwean Government. The Panel's efforts since 3 April 2002 to engage the Zimbabwean Government in a dialogue on how to control illicit trade flows of commodities of the Democratic Republic of the Congo and related issues have to date yielded no results. On three occasions between April and July, the Panel contacted the Zimbabwean Government, including through its Permanent Mission to the United Nations, requesting a response to its questions. The Panel even offered the Zimbabwean Government the option of meeting with members in Harare. It never, ever, received a response.

The document referred to in the Ambassador's letter was actually initially addressed to the Office of the Spokesman for the Secretary-General, an unlikely point for any Member State — or so-called covert agent — to launch a campaign of "grotesque and malicious interference" (S/2002/1169) against another Member State. He mentioned a certain person. He asks who this "Mr. Taylor" is. Ms. Taylor is one of the Political Officers who assist the Panel in its work. As a Political Officer, she often serves as a contact point, and is supposed to receive documents and correspondence on a daily basis, which are to be transmitted to the Panel and its Chairman. The Panel has full confidence in her integrity.

The Panel is confident that it has produced a detailed, rigorous and well documented report which sheds light on many actors implicated in economic exploitation, as well as in the violence and conflict that the competition for economic control continues to incite. The Panel based its findings on insider information and documentary evidence. If the Council so desires, samples of the evidence can be shown to its members.

I will now turn to the role of companies. The Panel's report indicates that certain companies have dealings with the elite network that represents the economic interests of those who have been the occupying Powers, Rwanda and Uganda, the allies of the Democratic Republic of the Congo, such as Zimbabwe, members of the Government of the Democratic Republic of the Congo itself and members of the foreign and Congolese armed groups. Those parties to the conflict are involved in the business of making war, and they are increasingly also in the business of making vast amounts of money from war, while sustaining armed conflict as long as possible. The ability to move commodities and funds between illicit sources and legitimate markets is crucial to the vicious cycle of war and plunder. Legitimate companies are important to the parties involved in this conflict. That is the reason for the Panel's concern about companies operating within the conflict areas in the Democratic Republic of the Congo.

War economies in different areas of the world have spawned hundreds of companies that would not exist were it not for the business of war and corruption. Some of them are facades for elite networks operating in this and in other conflict zones. Others are simply willing to assume the higher risks of operating in conflict areas, where opportunities are plentiful due to the lack of regulation that accompanies war and armed conflict. Some of these companies operate illegally; but many others, however, are technically not in violation of the law, quite simply because laws are not enforced. Yet the actions of these companies are often in contravention of United Nations sanctions or other efforts to promote security and peace.

So, companies need rules to tell them what they cannot do. In other words, there is a need for such rules. That is why the Panel, in its recommendations, has stressed the role of Governments (para. 170). Members may refer to that paragraph for the Panel's view of that role.

(*spoke in Arabic*)

In response to the representative of the Syrian Arab Republic, I wish he had met with the Panel of Experts to check the false information he has gathered with regard to the Panel, perhaps from certain biased persons who were singled out. Let me stress that the Panel of Experts did indeed meet a large number of business people and representatives of companies referred to in the report. We sent them more than 13 letters. Letters went, for instance, to Mr. Al-Shanfari, Chief Executive of Oryx Natural Resources, whom we met five times in Nairobi and New York, most recently yesterday afternoon. We asked him, particularly in our Nairobi meeting, to give us certain documents, and I can say that the Panel of Experts has assembled enough evidence, including compromising documentation, to reaffirm what the report says.

(*spoke in English*)

I have an answer to a question that has been asked many times: How can exploitation be halted after the withdrawal of foreign troops from the Democratic Republic of the Congo? I have been asked that many times, and I have the answer. The answer is simple. There are five elements that need to be tackled simultaneously, without which exploitation will continue unabated. Those five elements are the following.

The first element is the disarmament, demobilization, reintegration and repatriation or resettlement (DDRRR) of foreign and Congolese armed groups in an effective DDRRR programme. The second element is the rebuilding and reform of the State institutions of the Democratic Republic of the Congo.

That should begin with the establishment of an all-inclusive transitional Government in the Democratic Republic of the Congo. The third element is the reviewing and revising of concessions and contracts signed since 1997. The fourth element is the adherence of business enterprises to the Organization for Economic Cooperation and Development (OECD) Guidelines or to similar guidelines that outline procedures for bringing violations of the guidelines to the attention of home Governments. The countries of origin of corporations have a special responsibility to see that they are functioning legally and in transparency, and thus recognize the Government of the Democratic Republic of the Congo as the legitimate authority. The final and fifth element is that a monitoring body is therefore necessary to produce regular reports to the Security Council on the exploitation of resources: see paragraphs 186, 187 and 188 of the report.

I should like to end today's discussion on another note. It is one of reconciliation, not of defiance; of concord, not of disagreement. I humbly appeal to all the parties to the conflict, and to all who are willing, to consider the question that the people of the Great Lakes region — the farmers, the herders, the teachers, the students, the merchant women and shopkeepers, the mothers and fathers — have repeatedly asked: what has been gained in all these years of war? I appeal to all who seek to build a foundation for a broad and lasting settlement of this conflict to finally turn this bloodstained page in the history of the Great Lakes region. I appeal to them all to join hands and to enter together what could be a genuinely new era, in which peace-building will be the order of the day. The parties to the conflict will face many challenges in building that new era. But, with regional cooperation and international support, the citizens of the entire region could enjoy peace, security and economic development, and an atmosphere of transparency, legality and legitimacy can benefit all in the region.

Finally, I should like to conclude by expressing my full confidence that the Council will take the necessary decisions, in the light of the Panel's recommendations, to convey the right message to all the parties concerned — both those from the African continent and those from outside it.

The President (*spoke in Chinese*): I thank Mr. Kassem for the clarifications he has provided.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.40 p.m.